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*debetur, non singulis debetur; nec quod debet universitas singuli non debent.*"

The author states: "In language, the courts seldom do disregard their fiction. In fact, they do constantly disregard it (p. 57)." It is submitted that exactly the reverse is true. In modern times, the courts glibly talk of the corporate entity as a mere fiction which may be disregarded in the sound discretion of the court, but the actual decisions are for the most part entirely consistent with it. In the case of *State ex rel. v. Standard Oil Co.* (1892) 49 Oh. St. 137, 30 N. E. 279, to which Mr. Carter refers, the court states, among other things: "All fictions of law have been introduced for the purpose of convenience and to subserve the ends of justice. It is in this sense that the maxim *in fictione juris subsistit aequitas* is used and the doctrine of fictions applied. But when they are urged to an intent and purpose not within the reason and policy of the fiction, they have always been disregarded by the courts."

The court further stated that the corporate entity was a fiction of this kind and could be ignored, and then proceeded to render a decision which was entirely consistent with the entity theory properly understood. The fact is that in nearly all the cases where the courts have spoken in this way, the entity has not in fact been ignored. And, on the other hand, in a few cases where the entity was ignored, complete justice could have been done under a strict adherence to the theory.

Mr. Carter, while he has not succeeded in throwing any new light on the legal nature of the corporation, has given an interesting and readable exposition of this fundamental problem. But his study has a defect not uncommon in the case of essays presented for the doctorate degree. It is entirely too diffuse. And this is really an unpardonable sin in these days when, with the multiplication of statute law and decisions, it is so essential to compress rather than to expand the volume of matter which lawyers are compelled to read.

George F. Canfield

#### BOOKS RECEIVED.

READINGS IN RURAL SOCIOLOGY. By JOHN PHELAN. New York: THE MACMILLAN Co. 1920. pp. xiv, 632.

SPECULATION AND THE CHICAGO BOARD OF TRADE. By JAMES E. BOYLE. New York: THE MACMILLAN Co. 1920. pp. xi, 280.

INDUSTRIAL AND SOCIAL HISTORY OF ENGLAND. By EDWARD P. CHEYNEY. New York: THE MACMILLAN Co. 1920. Revised Ed., pp. xiii, 386.

THE LEAGUE OF NATIONS AT WORK. By ARTHUR SWEETSER. New York: THE MACMILLAN Co. pp. 215.

HISTORY OF SOUTH AFRICA. From 1873 to 1884. By GEORGE MCCALL THEAL. London: GEORGE ALLEN & UNWIN, LTD. 1919. Vol. I, pp. xvi, 352; Vol. II, pp. xi, 312.

PATENT LAW. By JOHN BARKER WAITE. Princeton, N. J.: PRINCETON UNIVERSITY PRESS. 1920. pp. viii, 316.